

The Clash of Sections

So long as the contention over slavery was primarily between abolitionists and militant slavery defenders, it did not seriously threaten national unity. Neither group had enough followers to tear the political fabric apart. But then, in the late 1840s, the issue of slavery expansion into the western territories brought North-South antagonisms to a boil. A much larger public in both sections was soon locked in an angry debate that jeopardized the nation's very survival.

Whether Congress had the right to determine if slavery should be excluded from the territories had stirred discord between North and South as far back as 1820, when Missouri, part of the Louisiana Purchase, had applied for admission to the Union as a slave state. The issue affected sectional balance, especially in the Senate, where each state was equally represented. It had been settled by the Missouri Compromise, which admitted one free and one slave state and divided the remainder of the Louisiana Purchase along the line 39° 30' into free and slave territory. The Mexican War, which added an enormous slab of new territory to the United States, raised the slavery extension issue between the sections anew.

The first act of the new North-South showdown was the battle over the Wilmot Proviso, a motion introduced into Congress in August 1846 to exclude slavery from any region acquired as a result of the war with Mexico then underway. The Proviso set off a North-South confrontation that moved through successively belligerent stages that led to the South's secession in 1860-1861.

The documents below mark the progression of the sectional debate from the Proviso to the final crisis point. What are the essential principles of each side? Was the South right to feel besieged and oppressed? Were the North and "free society" victims of a southern conspiracy? Was there a moral dimension to the sectional dispute?

14.1: A Southern Champion Demands Equal Rights for the South (1850)

In 1850 the readiness of California for admission to the Union forced Congress to confront longstanding North-South grievances and consider how to balance competing sectional views and interests. The discussion that year coalesced around a set of proposals introduced by Henry Clay, which included the admission of California as a free state, a stronger federal fugitive slave law, the settlement of the boundary and debts of Texas, the prohibition of the slave trade in the District of Columbia, and the organization of the New Mexico and Utah territories without mention of slavery.¹ The debate in the Senate particularly became a clash of sectional champions, many of them aging politicians of an earlier political era, others representing the new leadership that would govern the nation through the Civil War period.

The first selection below is an excerpt from the speech delivered by John C. Calhoun of South Carolina, the venerable defender of southern rights, in response to the Clay compromise proposals. Sixty-eight years old in 1850, Calhoun was deathly ill and too feeble to deliver his address himself. Wrapped in blankets to warm his wasted frame, he listened intently from his Senate seat as James Mason of Virginia read the speech to the members.

Calhoun does not speak specifically to the Clay proposals. Rather, he lays out the whole array of southern grievances as they had evolved since the days of Thomas Jefferson. Is Calhoun correct when he blames northern policies for the South's numerical inferiority? How could the North have imposed its policies if the two sections had been equal in power at the outset? Why, for example, did most immigrants go to the free rather than the slave states? How does Calhoun account, if at all, for the fact that slavery was excluded from most new territory added to the United States after 1800? How valid are his charges that the antislavery agitation was destroying the bonds that held the Union together? Even if Calhoun was right about the divisive nature of the antislavery movement, what could have been done, given Bill of Rights' protection for freedom of speech and the press, to stop the agitation? Calhoun depicts himself as a unionist. Was he?

¹These items actually represent a revised set of proposals introduced by Stephen Douglas after the somewhat different original scheme, proposed by Clay, had been defeated.

The South Defended

JOHN C. CALHOUN

I have, Senators, believed from the first that the agitation of the subject of slavery would . . . end in disunion. Entertaining this opinion, I have . . . endeavored to call the attention of both the two great parties which divide the country to adopt some measure to prevent so great a disaster, but without success. The agitation has been permitted to proceed, with almost no attempt to resist it, until it has reached a point when it can no longer be disguised or denied that the Union is in danger. You have thus had forced upon you the greatest and the gravest question that can ever come under your consideration—How can the Union be preserved? . . .

... What is it that has endangered the Union?

To this question there can be but one answer,—that the immediate cause is the almost universal discontent which pervades all the States composing the Southern section of the Union. This widely-extended discontent is not of recent origin. It commenced with the agitation of the slavery question, and has been increasing ever since. The next question, going one step further back, is—What has caused this widely diffused and almost universal discontent?

It is a great mistake to suppose . . . that it originated with demagogues, who excited the discontent with the intention of aiding their personal advancement, or with the disappointed ambition of certain politicians, who resorted to it as a means of retrieving their fortunes. On the contrary, all the great political influences of the [Southern] section were arrayed against excitement, and exerted to the utmost to keep the people quiet . . . The leaders and the presses of both parties [i.e., Whigs and Democrats] were very solicitous to prevent excitement and preserve quiet; because it was seen that the effects of the former would necessarily tend to weaken, if not destroy, the political ties which united them with their respective parties in other sections. . . . No, some cause, far deeper and more powerful than the one supposed, must exist, to account for the discontent so wide and deep. . . . What is the cause of this discontent? It will be found in the belief of the people of the Southern States . . . that they cannot remain, as things now are, consistently with honor and safety, in the Union. The next question to be considered is—What has caused this belief?

One of the causes is, undoubtedly, to be traced to the long-continued agitation of the slave question on the part of the North, and the many aggressions which they have made on the rights of the South. . . .

There is another lying back of it . . . that may be regarded as the great and primary cause. This is to be found in the fact that the equilibrium between the two sections . . . has been destroyed. At that time [i.e., at the beginning of the republic] there was nearly a perfect equilibrium between the two, which afforded ample means to each to protect itself against the aggression of the other; but, as it now

stands, one section has the exclusive power of controlling the Government, which leaves the other without any adequate means of protecting itself against its encroachment and oppression. To place this subject distinctly before you, I have, Senators, prepared a brief statistical statement, to show the relative weight of the two sections in the Government under the first census of 1790 and the last census of 1840.

[Here follows an analysis demonstrating the more rapid growth of population in the North than in the South and the consequent gap in favor of the North in representation in the electoral college and the House of Representatives. Calhoun also assumes that the census of 1850 will show a further increase in the power of the North over the federal government.]

The prospect is . . . that a great increase will be added to its [i.e., the North's] preponderance in the Senate, during the period of the decade, by the addition of two new States. Two territories, Oregon and Minnesota, are already in progress, and strenuous efforts are making to bring in three additional States from the territory recently acquired from Mexico; which, if successful, will add three other States in a short time to the Northern section, making five States; and increasing the present number of its States from fifteen to twenty, and of its Senators from thirty to forty. On the contrary, there is not a single territory in progress in the Southern section, and no certainty that any additional State will be added to it during the decade. The prospect then is, that the two sections in the Senate, should the efforts now made to exclude the South from the newly acquired territories succeed, will stand, before the end of the decade, twenty Northern States to fourteen Southern. . . . and forty Northern Senators to twenty-eight Southern. This great increase of Senators, added to the great increase of members of the House of Representatives and the electoral college on the part of the North, which must take place under the next decade, will effectually and irretrievably destroy the equilibrium which existed when the Government commenced.

Had this destruction been the operation of time, without the interference of Government, the South would have had no reason to complain; but such was not the fact. It was caused by the legislation of this Government, which was appointed, as the common agent of all, and charged with the protection of the interests and security of all. The legislation by which it has been effected, may be classed under three heads. The first is, that series of acts by which the South has been excluded from the common territory belonging to all the States as members of the Federal Union—which have had the effect of extending vastly the portion allotted to the Northern section, and restricting within narrow limits the portion left to the South. The next consists of adopting a system of revenue and disbursements, by which an undue proportion of the burden of taxation has been imposed upon the South, and an undue proportion of its proceeds appropriated to the North; and the last is the system of political measures, by which the original character of the Government has been radically changed. . . .

[I]f there was no question of vital importance to the South, in reference to which there was a diversity of views between the sections, this state of things might be endured. . . . But . . . there is a question of vital importance to the Southern section, in reference to which the views and feelings of the two sections are as opposite and hostile as they can possibly be.

I refer to the relation between the two races in the Southern section, which constitutes a vital portion of her social organization. Every portion of the North entertains views and feelings more or less hostile to it. Those most opposed and hostile, regard it as a sin, and consider themselves under the most sacred obligation to use every effort to destroy it. . . . Those less opposed and hostile, regard it as a crime—an offence against humanity, as they call it; and, although not so fanatical, feel themselves bound to use all efforts to effect the same object; while those who are least opposed and hostile, regard it as a blot and a stain on the character of what they call the Nation, and feel themselves accordingly bound to give it no countenance or support. On the contrary, the Southern section regards the relation as one which cannot be destroyed without subjecting the two races to the greatest calamity, and the section to poverty, desolation, and wretchedness; and accordingly they feel bound, by every consideration of interest and safety, to defend it.

[Calhoun recounts the history of the antislavery movement since the 1830s, including the dispersal of "incendiary" publications and the antislavery petition campaign against the internal slave trade and against slavery in the District of Columbia. He shows how the antislavery campaign grew increasingly loud and zealous.]

Such is a brief history of the agitation, as far as it has yet advanced. Now I ask, Senators, what is there to prevent its further progress, until it fulfills the ultimate end proposed; unless some decisive measure should be adopted to prevent it? . . . Is it . . . not certain, that if something is not done to arrest it, the South will be forced to choose between abolition and secession? Indeed, as events are now moving, it will not require the South to secede, in order to dissolve the Union. Agitation will of itself effect it. . . .

It is a great mistake to suppose that disunion can be effected by a single blow. The cords which bound these States together in one common Union, are far too numerous and powerful for that. Disunion must be the work of time. . . . It is only through a long process . . . that the cords can be snapped, until the whole fabric falls asunder. Already the agitation of the slavery question has snapped some of the most important and has greatly weakened all the others. . . .

If the agitation goes on, the same force, acting with increased intensity, . . . will finally snap every cord, when nothing will be left to hold the States together except force. But, surely, that can, with no propriety of language, be called a Union, when the only means by which the weaker is held connected with the stronger portion, is force. It may, indeed, keep them connected; but the connection will partake more of the character of subjugation, on the part of the weaker to the stronger, than the

union of free, independent, and sovereign States, in one confederation, as they stood in the early stages of the Government, and which only is worthy of the sacred name of Union.

. . . How can the Union be saved? . . . —by adopting such measures as will satisfy the States belonging to the Southern section, that they can remain in the Union consistently with their honor and safety. There is, again, only one way by which this can be effected, and that is—by removing the causes by which this belief had been produced. Do this, and discontent will cease—harmony and kind feelings between the sections be restored—and every apprehension of danger to the Union removed.

14.2: A Northern Unionist Supports the Compromise of 1850 (1850)

The other giant of the past who spoke on the Clay proposals was Daniel Webster, the senator from Massachusetts. The "God-like Daniel" represented a state whose citizens were at the forefront of the movement to limit slavery expansion. He himself had voted for the slavery-restricting Wilmot Proviso. Many of his constituents were opposed to compromise with the South if it meant extending the area where the "peculiar institution" was legal. But Webster was a passionate unionist who had long denounced secession, a threat often used by the South to force concessions from the North. Here, in his famous speech of March 7, 1850, he once more deplores secession and yet seeks to satisfy southern grievances. Webster's address would help the passage of the measures called the Compromise of 1850, but he would be widely condemned in his home state as a betrayer of freedom, a man from whom "the soul has fled."

Webster clearly was responding in part to the charges leveled by John C. Calhoun. What are Webster's specific arguments against Calhoun's claims? To what "law of nature" is Webster referring? Is his argument convincing? Have later events confirmed or refuted that law of nature?

Webster's Seventh of March Speech Favoring the Compromise Measures

DANIEL WEBSTER

. . . And now let us consider, sir, for a moment what was the state of sentiment, North and South, in regard to slavery at the time this Constitution was adopted. A remarkable change has taken place since, but what did the wise and great men of all parts of the country think of slavery? In what estimation did they hold it in 1787,

when the Constitution was adopted? No, it will be found, sir, that there was no great diversity of opinion between the North and the South upon the subject of slavery; and it will be found that both parts of the country held it equally an evil—a moral and political evil. It will not be found, that either at the North or at the South, there was much, though there was some, invective against slavery as inhuman and cruel. The great ground of objection to it was political; that it weakened the social fabric; that, taking the place of free labor, society was less strong, and labor was less productive; and, therefore, . . . that slavery was an evil. . . . The eminent men, the most eminent men, and nearly all the conspicuous men of the South, held the same sentiments, that slavery was an evil, a blight, a blast, a mildew, a scourge, and a curse. . . .

This was the state of things, sir, and this the state of opinion, under which those two very important matters were arranged, and those two important things done; that is, the establishment of the Constitution, with a recognition of slavery as it existed in the States, and the establishment of the ordinance [the Northwest Ordinance of 1787] prohibiting, to the full extent of all territory owned by the United States, the introduction of slavery into those territories. . . . But opinions, sir, have changed—greatly changed—changed North and changed South. . . .

The North [since that time has been] growing much more warm and strong against slavery, and the South [has been] growing much more warm and strong in its support. . . . What . . . have been the causes which have created so new a feeling in favor of slavery in the South . . . and from being thought of as described in the terms that I mentioned, . . . it has now become an institution, a cherished institution there; no evil, no scourge, but a great religious, social, and moral blessing, as I think I have heard it latterly described? I suppose this, sir, is owing to the sudden uprising and rapid growth of the cotton plantations of the South. So far as any motive of honor, justice, and general judgement could act, it was the cotton interest that gave a new desire to promote slavery, to spread it and to use its labor. . . .

Well, sir, we know what follows. The age of cotton became a golden age for our southern brethren. It gratified their desire for improvement and accumulation, at the same time that it excited it. The desire grew by what it fed upon, and there soon came to be an eagerness for other territory—a new area or areas for the cultivation of the cotton crop; and measures were brought about, somewhat rapidly, one after another, under the head of southern men at the head of Government—they having a majority in both branches of the Government—to accomplish their ends. The honorable member from Carolina [i.e., Calhoun] observed, that there has been a majority all along in favor of the North. If that be true, sir, the North acted either very liberally and kindly, or very weakly; for they never exercised that majority five times in the history of the Government. . . . [N]o man acquainted with the history of the country, can deny, that the general lead in the politics of the country, for three-fourths of the period that has lapsed since the adoption of the Constitution, has been a southern lead. . . .

Now, as to California and New Mexico, I hold slavery to be excluded from those territories by a law even superior to that which admits and sanctions it in Texas—I mean the law of nature—of physical geography—the law of the formation of the

earth. That law settles forever, with a strength beyond all terms of human enactment, that slavery cannot exist in California or New Mexico. . . .

Mr. President, in the excited times in which we live, there is found to exist a state of crimination and recrimination between the North and the South. There are lists of grievances produced by each; and those grievances, real or supposed, alienate the minds of one portion of the country from the other, exasperate the feelings, subdue the sense of fraternal connection, and patriotic love, and mutual regard. I shall bestow a little attention, sir, upon these various grievances, produced on the one side or the other. I began with the complaints of the South: I will now answer, farther than I have, the general statements of the Senator from South Carolina, that the North has grown upon the South in consequence of the manner of administering this Government, in the collection of its revenues, and so forth. . . . I will state these complaints, especially one complaint of the South, which has in my opinion just foundation; and that is, that there has been found in the North, among individuals and among the Legislatures of the North, a disinclination to perform, fully, their constitutional duties in regard to the return of persons bound to service [i.e., slaves], who have escaped into the free States. In that respect, it is my judgement that the South is right, and the North is wrong. Every member of every northern Legislature is bound, by oath, like every other officer in the country, to support the Constitution of the United States; and this article of the Constitution, which says to these States, they shall deliver up fugitives from service, is binding in honor and conscience as any other article. . . .

Therefore, I repeat, sir, that there is ground of complaint against the North, well founded, which ought to be removed—which is now in the power of the different departments of this Government to remove—which calls for the enactment of proper laws, authorizing the judicature of this Government, in the several States, to do all that is necessary for the recapture of fugitive slaves, and for the restoration of them to those who claim them. Wherever I go, and whenever I speak on the subject. . . . I say that the South has been injured in this respect and has a right to complain; and the North has been careless of what I think the Constitution peremptorily and emphatically enjoins upon it as a duty. . . .

There can be no such thing as peaceable secession. Peaceable secession is an utter impossibility. Is the great Constitution under which we live here . . . to be thawed and melted away by secession? . . . No sir! no sir! I will not say what might produce the disruption of the States; but, sir, I see it as plainly as I see the sun in heaven—I see that disruption must produce such a war as I will not describe. . . .

Peaceable secession! peaceable secession! . . . A voluntary separation, with alimony on one side and on the other. Why, what would be the result? Where is the line to be drawn? What States are to secede? What is to remain American? What am I to be?—an American no longer? Where is the flag of the republic to remain? Where is the eagle still to tower? Or is he to cower, and shrink, and fall to the ground? Why, sir, our ancestors—our fathers, and our grandfathers . . .—would rebuke and reproach us; and our children, and our grandchildren, would cry out, Shame upon us! if we, of this generation, should dishonor these ensigns of the power of the Government, and the harmony of the Union. . . . What is to become of the army? What is to become of the navy? What is to become of the public lands?

How is each of the thirty States to defend itself? . . . We could not separate the States by [a] . . . line, if we were to draw it. We could not sit here to-day, and draw a line of separation, that would satisfy any five men in the country. There are natural causes that would keep and tie us together, and there are domestic and social relations, which we could not break, if we would, and which we should not, if we could.

14.3: Antislavery Leaders Respond to the Kansas-Nebraska Act (1854)

The Compromise of 1850, based on the Clay proposals as revised and managed by Stephen Douglas, the Democratic senator from Illinois, ended talk of secession for a time. The Fugitive Slave Law, which made up part of the compromise package, would deeply offend the sensibilities of many northerners and lead to defiant resistance in several northern communities. Still, for a time the sectional agreement quieted North-South agitation.

Then, in 1854 Douglas reopened the issue of slavery expansion, this time as applied to the remaining unsettled portions of the Louisiana Purchase territory. His Kansas-Nebraska bill repealed the Missouri Compromise of 1820 and opened up the region from which Congress had excluded slavery to possible settlement by slaveholders and their property. Douglas was moved initially by a desire primarily to encourage settlement of the Nebraska country. His original bill had said nothing of slavery in the region. But the "Little Giant," who agreed with Webster that slavery could not take root in the plains, was pushed to support an explicit repeal of the Missouri Compromise by a group of southern senators who felt deeply that any act of Congress excluding them and their property from any part of the federal public domain was a heinous sectional affront. Strongly supported by the Democratic administration under President Franklin Pierce, Douglas's bill, including the explicit Missouri Compromise repeal, passed.

The result was a political explosion in the North. Even moderate northerners saw the new law as a deplorable concession to the slave South. Among the strong antislavery voters and politicians, the Kansas-Nebraska Act seemed to confirm the existence of a behind-the-scenes deal uniting the "slavocracy" and "northern men with southern principles." The following document is one expression of this view. Signed by group of antislavery leaders in Congress even before the Kansas-Nebraska Act had passed, it became a manifesto of an

emerging political force focused on slavery limitation that would soon crystallize as the Republican Party.

Have you encountered in any previous document in this section another charge of the illegitimate use of power for sectional ends? How do you distinguish a wide-ranging political plot from the usual behind-the-scenes maneuvering by politicians in the course of passing routine legislation? Do the "Independent Democrats" who composed and signed this appeal betray any compassion for slaves? Or do they seem concerned only for the rights of white nonslaveholders?

The Kansas-Nebraska Act: A Plot Against the North

"INDEPENDENT DEMOCRATS"

As Senators and Representatives in the Congress of the United States it is our duty to warn our constituents, whenever imminent danger menaces the freedom of our institutions or the permanency of the Union.

Such danger, as we firmly believe, now impends, and we earnestly solicit your prompt attention to it.

At the last session of Congress a bill for the organization of the Territory of Nebraska passed the House of Representatives by an overwhelming majority. That bill was based on the principle of excluding slavery from the new Territory. It was not taken up for consideration in the Senate and consequently failed to become a law.

At the present session a new Nebraska bill has been reported by the Senate Committee on Territories, which, should it unhappily receive the sanction of Congress, will open all the unorganized Territories of the Union to the ingress of slavery.

We arraign this bill as a gross violation of a sacred pledge; as a criminal betrayal of precious rights; as part and parcel of an atrocious plot to exclude from a vast unoccupied region immigrants from the Old World and free laborers from our own States, and convert it into a dreary region of despotism, inhabited by masters and slaves.

Take your maps, fellow citizens, we entreat you, and see what country it is which this bill gratuitously and recklessly proposes to open to slavery. . . .

This immense region, occupying the very heart of the North American Continent, and larger, by thirty-three thousand square miles, than all the existing free States—including California . . . this immense region the bill now before the Senate, without reason and without excuse, but in flagrant disregard of sound policy and sacred faith, purposes to open to slavery.

We beg your attention, fellow-citizens, to a few historical facts:

The original settled policy of the United States, clearly indicated by the Jefferson proviso of 1784 and the Ordinance of 1787, was non-extension of slavery.

In 1803 Louisiana was acquired by purchase from France. . . .

In 1818, six years later, the inhabitants of the Territory of Missouri applied to Congress for authority to form a State constitution, and for admission into the Union. There were, at that time, in the whole territory acquired from France, outside of the State of Louisiana, not three thousand slaves.

There was no apology, in the circumstances of the country, for the continuance of slavery. The original national policy was against it, and not less the plain language of the treaty under which the territory had been acquired from France.

It was proposed, therefore, to incorporate in the bill authorizing the formation of a State government, a provision requiring that the constitution of the new State should contain an article providing for the abolition of existing slavery, and prohibiting the further introduction of slaves.

This provision was vehemently and pertinaciously opposed, but finally prevailed in the House of Representatives by a decided vote. In the Senate it was rejected, and—in consequence of the disagreement between the two Houses—the bill was lost.

At the next session of Congress, the controversy was renewed with increased violence. It was terminated at length by a compromise. Missouri was allowed to come into the Union with slavery; but a section was inserted in the act authorizing her admission, excluding slavery forever from all the territory acquired from France, not included in the new State, lying north of 36° 30'

Nothing is more certain in history than the fact that Missouri could not have been admitted as a slave State had not certain members from the free States been reconciled to the measure by the incorporation of this prohibition into the act of admission. Nothing is more certain than that this prohibition has been regarded and accepted by the whole country as a solemn compact against the extension of slavery into any part of the territory acquired from France lying north of 36° 30', and not included in the new State of Missouri. The same act—let it be ever remembered—which authorized the formation of a constitution by the State, without a clause forbidding slavery, consecrated, beyond question and beyond honest recall, the whole remainder of the Territory to freedom and free institutions forever. For more than thirty years—during more than half our national existence under our present Constitution—this compact has been universally regarded and acted upon as inviolable American law. In conformity with it, Iowa was admitted as a free State and Minnesota has been organized as a free Territory.

It is a strange and ominous fact, well calculated to awaken the worst apprehensions and the most fearful forebodings of future calamities, that it is now deliberately proposed to repeal this prohibition, by implication or directly—the latter certainly the manlier way—and thus to subvert the compact, and allow slavery in all the yet unorganized territory.

We cannot, in this address, review the various pretenses under which it is attempted to cloak this monstrous wrong, but we must not altogether omit to notice one.

It is said that Nebraska sustains the same relations to slavery as did the territory acquired from Mexico prior to 1850, and that the pro-slavery clauses of the bill are necessary to carry into effect the compromise of that year.

No assertion could be more groundless. . . .

The statesmen whose powerful support carried the Utah and New Mexico acts never dreamed that their provisions would be ever applied to Nebraska. . . .

Here is proof beyond controversy that the principle of the Missouri act prohibiting slavery north of 36° 30', far from being abrogated by the Compromise Acts, is expressly affirmed; and that the proposed repeal of this prohibition, instead of being an affirmation of the Compromise Acts, is a repeal of a very prominent provision of the most important act of the series. It is solemnly declared in the very Compromise Acts "*that nothing herein contained shall be construed to impair or qualify*" the prohibition of slavery north of 36° 30'; and yet in the face of this declaration, that sacred prohibition is said to be overthrown. Can presumption further go? To all who, in any way, lean upon these compromises, we commend this exposition.

The pretenses, therefore, that the territory covered by the positive prohibition of 1820, sustains a similar relation to slavery with that acquired from Mexico, covered by no prohibition except that of disputed constitutional or Mexican law, and that the Compromises of 1850 require the incorporation of the pro-slavery clauses of the Utah and New Mexico Bill in the Nebraska act, are mere inventions, designed to cover up from public reprehension mediated bad faith. Were he living now, no one would be more forward, more eloquent, or more indignant in his denunciation of that bad faith, than Henry Clay, the foremost champion of both compromises. . . .

We appeal to the people. We warn you that the dearest interests of freedom and the Union are in imminent peril. Demagogues may tell you that the Union can be maintained only by submitting to the demands of slavery. We tell you that the Union can only be maintained by the full recognition of the just claims of freedom and man. The Union was formed to establish justice and secure the blessings of liberty. When it fails to accomplish these ends it will be worthless, and when it becomes worthless it cannot long endure.

We entreat you to be mindful of that fundamental maxim of Democracy—EQUAL RIGHTS AND EXACT JUSTICE FOR ALL MEN. Do not submit to become agents in extending legalized oppression and systematized injustice over a vast territory yet exempt from these terrible evils.

We implore Christians and Christian ministers to interpose. Their divine religion requires them to behold in every man a brother, and to labor for the advancement and regeneration of the human race.

Whatever apologies may be offered for the toleration of slavery in the States, none can be offered for its extension into Territories where it does not exist, and where that extension involves the repeal of ancient law and the violation of solemn compact. Let all protest, earnestly and emphatically, by correspondence, through the press, by memorials, by resolutions of public meetings and legislative bodies, and in whatever other mode may seem expedient, against this enormous crime.

For ourselves, we shall resist it by speech and vote, and with all the abilities which God has given us. Even if overcome in the impending struggle, we shall not submit. We shall go home to our constituents, erect anew the standard of freedom,

and call on the people to come to the rescue of the country from the domination of slavery. We will not despair; for the cause of human freedom is the cause of God.

S. P. Chase
Charles Sumner
J. R. Giddings
Edward Wade
Geritt Smith
Alexander De Witt.

14.4: John Brown and the Remission of Sins by Blood (1859)

The Kansas-Nebraska Act let loose a wave of violence in Kansas. Some of this derived from disputed land claims among settlers who poured into the region after its passage, but the primary cause was a contest to impose either free labor or slavery on the territory.

One participant in the struggle to decide the future of Kansas was John Brown, an antislavery zealot who believed that "without the shedding of blood there is no remission of sins." In May 1856, in retaliation for the sack of the free staters' settlement at Lawrence by proslavery guerrillas, Brown and his sons massacred several prosouthern farmers at Pottawatomie Creek.

Unpunished for this crime, Brown went east and hatched a scheme to stir up a slave insurrection in the upper South as the first step in dismantling the institution of slavery. Encouraged and supported by several prominent eastern abolitionists, he and his small band, including several of his sons, captured the federal arsenal at Harpers Ferry, Virginia, on the evening of October 16, 1859. The rebels hoped to arouse the local slaves and, apparently, expected to escape into the mountains with a small army equipped with their captured arms. The plan was bungled. The group's efforts to arouse the slaves were feeble and they failed to consider adequate plans for escape. State militia and U.S. marines besieged the arsenal and quickly killed or captured the rebels.

Brown and four others were captured alive, tried by a Virginia court for treason, and sentenced to be hanged. To many Americans Brown's scheme seemed an act of a murderous madman. To many southerners it confirmed their belief in the willingness of abolitionist fanatics to resort to any extreme to express hatred of Dixie. Even partisan Republican politicians condemned the resort to violence. But for a segment of the northern public, Brown seemed a righteous Old Testament prophet smiting sin and injustice regardless of consequences. During his in-

carceration before execution, his prison cell became a mecca for many fervent antislavery advocates. At his death he became a martyr to the cause of freedom for the slave.

In the selection below Brown explains his motives in simple, moving language that reinforced his martyr image. Was Brown being entirely candid about his motives? Do you think his brief speech was an attempt to avoid the death penalty? Or was it intended more for posterity than for the judge and his immediate audience?

John Brown's Last Speech

I have, may it please the Court, a few words to say.

In the first place, I deny everything but what I have all along admitted,—the design on my part to free the slaves. I intended certainly to have made a clean thing of that matter, as I did last winter, when I went into Missouri and there took slaves without the snapping of a gun on either side, moved them through the country, and finally left them in Canada. I designed to have done the same thing again, on a larger scale. That was all I intended. I never did intend murder, or treason, or the destruction of property, or to excite or incite slaves to rebellion, or to make insurrection.

I have another objection; and that is, it is unjust that I should suffer such a penalty. Had I interfered in the manner which I admit, and which I admit has been fairly proved (for I admire the truthfulness and candor of the greater portion of the witnesses who have testified in this case),—had I so interfered in behalf of the rich, the powerful, the intelligent, the so-called great, or in behalf of any of their friends,—either father, mother, brother, sister, wife, or children, or any of that class,—and suffered and sacrificed what I have in this interference, it would have been all right; and every man in this court would have deemed it an act worthy of reward rather than punishment.

This court acknowledges, as I suppose, the validity of the law of God. I see a book kissed here which I suppose to be the Bible, or at least the New Testament. That teaches me that all things whatsoever I would that men should do to me, I should do even so to them. It teaches me, further, to "remember them that are in bonds, as bound with them." I endeavored to act up to that instruction. I say, I am yet too young to understand that God is any respecter of persons. I believe that to have interfered as I have done—as I have always freely admitted I have done—in behalf of His despised poor, was not wrong, but right. Now, if it is deemed necessary that I should forfeit my life for the furtherance of the ends of justice, and mingle my blood further with the blood of my children and with the blood of millions in this slave country whose rights are disregarded by wicked, cruel, and unjust enactments,—I submit; so let it be done!

Let me say one word further.

I feel entirely satisfied with the treatment I have received on my trial. Considering all the circumstances, it has been more generous than I expected. But I feel no consciousness of guilt. I have stated from the first what was my intention, and what was not. I never had any design against the life of any person, nor any disposition to commit treason, or excite slaves to rebel, or make any general insurrection. I never encouraged any man to do so, but always discouraged any idea of that kind.

Let me say, also, a word in regard to the statements made by some of those connected with me. I hear it has been stated by some of them that I have induced them to join me. But the contrary is true. I do not say this to injure them, but as regretting their weakness. There is not one of them but joined me of his own accord, and the greater part of them at their own expense. A number of them I never saw, and never had a word of conversation with, till the day they came to me; and that was for the purpose I have stated.

Now I have done.

14.5: The Victory of the Republican Party (1860)

The electoral crisis of 1860 yielded a rare occurrence—the victory of a Presidential candidate nominated by a third party, the Republicans. Although Lincoln failed to obtain even close to a majority of the popular vote, he surely was the strongest overall candidate in the field of four, as the electoral vote reflected.

Not only had the Republican Party achieved success, it had done so in a relatively short period of time. What factors contributed to this success? In addition to challenging the extension of slavery into additional western territories, the Republicans proposed a number of initiatives that realigned sectional politics; the West, with ever-increasing political clout, was now brought into growing political empathy with the North.

Besides the matter of slavery, what other issues were important as expressed by the Republican Party platform? Can you connect specific resolutions in the platform to particular demands of the West or the North? How did the resolutions to pass a Homestead Act and approve internal improvements unite the West and North politically? Today, we pay relatively little attention to party platforms in presidential elections. Why would the Republican platform of 1860 have had a much more spectacular effect?

The Republican Party Platform of 1860

Resolved, That we, the delegated representatives of the Republican electors of the United States, in Convention assembled, in discharge of the duty we owe to our constituents and our country, unite in the following declarations:

1. That the history of the nation, during the last four years, has fully established the propriety and necessity of the organization and perpetuation of the Republican party, and that the causes which called it into existence are permanent in their nature, and now, more than ever before, demand its peaceful and constitutional triumph.
2. That the maintenance of the principles promulgated in the Declaration of Independence and embodied in the Federal Constitution. "That all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty and the pursuit of happiness; that, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed," is essential to the preservation of our Republican institutions: and that the Federal Constitution, the Rights of the States, and the Union of the States, must and shall be preserved.
3. That to the Union of the States this nation owes its unprecedented increase in population, its surprising development of material resources, its rapid augmentation of wealth, its happiness at home and its honor abroad; and we hold in abhorrence all schemes for Disunion, come from whatever source they may; And we congratulate the country that no Republican member of Congress has uttered or countenanced the threats of Disunion so often made by Democratic members, without rebuke and with applause from their political associates; and we denounce those threats of Disunion, in case of a popular overthrow of their ascendancy, as denying the vital principles of a free government, and as an avowal of contemplated treason, which it is the imperative duty of an indignant People sternly to rebuke and forever silence.
4. That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of powers on which the perfection and endurance of our political fabric depends; and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes.
5. That the present Democratic Administration has far exceeded our worst apprehensions, in its measureless subserviency to the exactions of a sectional interest, as especially evinced in its desperate exertions to force the infamous Lecompton constitution upon the protesting people of Kansas; in construing the personal relation between master and servant to involve an unqualified property in persons; in its

attempted enforcement, everywhere, on land and sea, through the intervention of Congress and of the Federal Courts of the extreme pretensions of a purely local interest; and in its general and unvarying abuse of the power intrusted to it by a confiding people. . . .

7. That the new dogma that the Constitution, of its own force, carries Slavery into any or all of the Territories of the United States, is a dangerous political heresy, at variance with the explicit provisions of that instrument itself, with contemporaneous exposition, and with legislative and judicial precedent; is revolutionary in its tendency, and subversive of the peace and harmony of the country.

8. That the normal condition of all the territory of the United States is that of freedom; That as our Republican fathers, when they had abolished slavery, in all our national territory, ordained that "no person should be deprived of life, liberty, or property, without due process of law," it becomes our duty, by legislation, whenever such legislation is necessary, to maintain this provision of the Constitution against all attempts to violate it; and we deny the authority of Congress, of a territorial legislature, or of any individuals, to give legal existence to Slavery in any Territory of the United States.

9. That we brand the recent re-opening of the African slave-trade, under the cover of our national flag, aided by perversions of judicial power, as a crime against humanity and a burning shame to our country, and age; and we call upon Congress to take prompt and efficient measures for the total and final suppression of that execrable traffic.

10. That in the recent vetoes, by their Federal Governors, of the acts of the Legislatures of Kansas and Nebraska, prohibiting Slavery in those Territories, we find a practical illustration of the boasted Democratic principle of Non-Intervention and Popular Sovereignty embodied in the Kansas-Nebraska bill, and a demonstration of the deception and fraud involved therein.

11. That Kansas should, of right, be immediately admitted as a State under the Constitution recently formed and adopted by her people, and accepted by the House of Representatives.

12. That, while providing revenue for the support of the General Government by duties upon imports, sound policy requires such an adjustment of these imposts as to encourage the development of the industrial interests of the whole country; and we commend that policy of national exchanges which secures to the working men liberal wages, to agriculture remunerating prices, to mechanics and manufacturers and adequate reward for their skill, labor and enterprise, and to the nation commercial prosperity and independence.

13. That we protest against any sale or alienation to others of the Public Lands held by actual settlers, and against any view of the Homestead policy which regards the settlers as paupers or supplicants for public bounty; and we demand the passage by Congress of the complete and satisfactory Homestead measure which has already passed the house.

14. That the Republican Party is opposed to any change in our Naturalization Laws or any State legislation by which the rights of our citizenship hitherto

accorded to immigrants from foreign lands shall be abridged or impaired; and in favor of giving a full and efficient protection to the rights of all classes of citizens, whether native or naturalized, both at home and abroad.

15. That appropriations by Congress for River and Harbor improvements of a National character, required for the accommodation and security of an existing commerce, are authorized by the Constitution, and justified by the obligations of Government to protect the lives and property of its citizens.

16. That a Railroad to the Pacific Ocean is imperatively demanded by the interests of the whole country; that the Federal Government ought to render immediate and efficient aid in its construction; and that, as preliminary thereto, a daily Overland Mail should be promptly established. . . .

14.6: The South Secedes (1860)

The Harpers Ferry attack, continued violence in Kansas, and a host of real or imagined sectional slights and offenses encouraged the further sectionalizing of national politics. By the late 1850s the Whigs had collapsed as a party, with many of its northern members joining the new Republican organization. Dedicated to stopping the spread of slavery so as to "place it . . . in the course of ultimate extinction," the new party was almost purely northern in its support.

In 1860 the Republican candidate for president, Abraham Lincoln, won election in a field of four. Lincoln was not an abolitionist, but to the South his victory seemed an indescribable affront that could only be answered by the secession of the slave states from the Union. Within weeks of the election, the deep South states of South Carolina, Mississippi, Florida, Alabama, Georgia, Louisiana, and Texas all had passed ordinances of secession repudiating the compact known as the Constitution. In February 1861 representatives from these states met at Montgomery, Alabama, and established a provisional government for the Confederate States of America.

The following document is part of the "Declaration of Causes" that accompanied South Carolina's Ordinance of Secession of December 1860. What are the chief grievances of the secession convention delegates? How seriously do they take the constitutional arguments they advance, do you suppose? Why was the resistance by the free states to returning fugitive slaves so offensive to the South Carolinians? Why was Lincoln's election such an incitement to them?

Why South Carolina Is Leaving the Union

SOUTH CAROLINA SECESSION CONVENTION

DECLARATION OF CAUSES WHICH INDUCED THE SECESSION OF SOUTH CAROLINA.

The people of the State of South Carolina in Convention assembled, on the 2d day of April, A.D. 1832, declared that the frequent violations of the Constitution of the United States by the Federal Government, and its encroachments upon the reserved rights of the States, fully justified this State in their withdrawal from the Federal Union, but in deference to the opinions and wishes of the other Slaveholding States, she forbore at that time to exercise this right. Since that time these encroachments have continued to increase, and further forbearance ceases to be a virtue.

And now the State of South Carolina having resumed her separate and equal place among nations, deems it due to herself, to the remaining United States of America, and to the nations of the world, that she should declare the immediate causes which have led to this act. . . .

[Here follows a review of the history of the formation of the American union from the late colonial period, through the Revolution, and then to the adoption of the Constitution.]

By this Constitution, certain duties were imposed upon the several States, and the exercise of certain of their powers was restrained, which necessarily impelled their continued existence as sovereign states. But, to remove all doubt, an amendment was added, which declared that the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. On the 23d May, 1788, South Carolina, by a Convention of her people, passed an ordinance assenting to this Constitution, and afterwards altered her own Constitution to conform herself to the obligations she had undertaken.

Thus was established, by compact between the States, a Government with defined objects and powers, limited to the express words of the grant. This limitation left the whole remaining mass of power subject to the clause reserving it to the States or the people, and rendered unnecessary any specification of reserved rights. We hold that the Government thus established is subject to the two great principles asserted in the Declaration of Independence; and we hold further, that the mode of its formation subjects it to a third fundamental principle, namely, the law of compact. We maintain that in every compact between two or more parties, the obligation is mutual; that the failure of one of the contracting parties to perform a material part of the agreement, entirely releases the obligation of the other; and that, where no arbiter is provided, each party is remitted to his own judgment to determine the fact of failure, with all its consequences.

"Declaration of Causes," ed. Frank Moore, *The Rebellion Record: A Diary of American Events with Documents, Narratives, Illustrative Incidents*. . . (New York: G. P. Putnam, 1862), vol. 1, pp. 3-4.

In the present case, that fact is established with certainty. We assert that fourteen of the States have deliberately refused for years past to fulfil their constitutional obligations, and we refer to their own statutes for the proof.

The Constitution of the United States, in its fourth Article, provides as follows:

"No person held to service or labor in one State under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due."

This stipulation was so material to the compact that without it that compact would not have been made. The greater number of the contracting parties held slaves, and they had previously evinced their estimate of the value of such a stipulation by making it a condition in the Ordinance for the government of the territory ceded by Virginia, which obligations, and the laws of the General Government, have ceased to effect the objects of the Constitution. The States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, Illinois, Indiana, Michigan, Wisconsin, and Iowa, have enacted laws which either nullify the acts of Congress, or render useless any attempt to execute them. In many of these States the fugitive is discharged from the service of labor claimed, and in none of them has the State Government complied with the stipulation made in the Constitution. The State of New Jersey, at an early day, passed a law in conformity with her constitutional obligation; but the current of Anti-Slavery feeling has led her more recently to enact laws which render inoperative the remedies provided by her own laws and by the laws of Congress. In the State of New York even the right of transit for a slave has been denied by her tribunals; and the States of Ohio and Iowa have refused to surrender to justice fugitives charged with murder, and with inciting servile insurrection in the State of Virginia. Thus the constitutional compact has been deliberately broken and disregarded by the non-slaveholding States; and the consequence follows that South Carolina is released from her obligation.

The ends for which this Constitution was framed are declared by itself to be "to form a more perfect union, to establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity."

These ends it endeavored to accomplish by a Federal Government, in which each State was recognized as an equal, and had separate control over its own institutions. The right of property in slaves was recognized by giving to free persons distinct political rights; by giving them the right to represent, and burdening them with direct taxes for, three-fifths of their slaves; by authorizing the importation of slaves for twenty years; and by stipulating for the rendition of fugitives from labor.

We affirm that these ends for which this Government was instituted have been defeated, and the Government itself has been destructive of them by the action of the non-slaveholding States. Those States have assumed the right of deciding upon

the propriety of our domestic institutions; and have denied the rights of property established in fifteen of the States and recognized by the Constitution; they have denounced as sinful the institution of Slavery; they have permitted the open establishment among them of societies, whose avowed object is to disturb the peace of and eloin¹ the property of the citizens of other States. They have encouraged and assisted thousands of our slaves to leave their homes; and those who remain, have been incited by emissaries, books, and pictures, to servile insurrection.

For twenty-five years this agitation has been steadily increasing, until it has now secured to its aid the power of the common Government. Observing the *forms* of the Constitution, a sectional party has found within that article establishing the Executive Department, the means of subverting the Constitution itself. A geographical line has been drawn across the Union, and all the States north of that line have united in the election of a man to the high office of President of the United States whose opinions and purposes are hostile to Slavery. He is to be intrusted with the administration of the common Government, because he has declared that that "Government cannot endure permanently half slave, half free," and that the public mind must rest in the belief that Slavery is in the course of ultimate extinction.

This sectional combination for the subversion of the Constitution has been aided, in some of the States, by elevating to citizenship persons who, by the supreme law of the land, are incapable of becoming citizens,² and their votes have been used to inaugurate a new policy, hostile to the South, and destructive of its peace and safety.

On the 4th of March next this party will take possession of the Government. It has announced that the South shall be excluded from the common territory, that the Judicial tribunal shall be made sectional, and that a war must be waged against Slavery until it shall cease throughout the United States.

The guarantees of the Constitution will then no longer exist; the equal rights of the States will be lost. The Slaveholding States will no longer have the power of self-government, or self-protection, and the Federal Government will have become their enemy.

Sectional interest and animosity will deepen the irritation; and all hope of remedy is rendered vain, by the fact that the public opinion at the North has invested a great political error with the sanctions of a more erroneous religious belief.

We, therefore, the people of South Carolina, by our delegates in Convention assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, have solemnly declared that the Union heretofore existing between this State and the other States of North America is dissolved, and that the State of South Carolina has resumed her position among the nations of the world, as separate and independent state, with full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do.

¹That is, to alienate, or remove.—ED.

²Refers to the grant of voting rights to free blacks by several northern states.—ED.